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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,023	11/05/2007	Xiaoqin Duan	HW 0411199US	3927
74365	7590	01/05/2010		
Slater & Matsil, L.L.P. 17950 Preston Road, Suite 1000 Dallas, TX 75252			EXAMINER BIBBEE, CHAYCE R	
			ART UNIT	PAPER NUMBER
			2617	
			MAIL DATE	DELIVERY MODE
			01/05/2010	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/563,023	<b>Applicant(s)</b> DUAN, XIAOQIN	
	<b>Examiner</b> CHAYCE BIBBEE	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/05/2007 and 08/20/2009</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statements (IDS) submitted on 11/05/2007 and 08/20/2008 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Priority***

2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

3. Claims 1-11 are presented for examination.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Hurtta et al (pub # 20050135375).

Consider claim 1. Hurtta et al teaches A method for handling event triggers and re-authorization triggers in flow based charging, comprising:

(A) TPF determining whether the bearer event matches an event trigger, if it matches, proceeding to step B, and otherwise, proceeding to step C; **(See at least paragraph [0049] where Hurtta discloses the gateway after receiving the request for bearer establishment may determine whether authorization and policy control is required, thus determining if the bearer event and a trigger event match).**

(B) TPF requesting the charging rules from CRF; **(See at least paragraphs [0050]-[0052] where Hurtta discloses the gateway sends a request to the policy control entity).**

(C) TPF determining whether the bearer event matches a re-authorization trigger, if it matches, the TPF performing a re-authorization process, and otherwise, ending the current process. **(See at least paragraph [0072] where Hurtta discloses if the network type changes it may trigger authorization and/or policy control for an already existing access bearer and/or service flow, thus a re-authorization trigger).**

Consider claim 2. Hurtta et al teaches all of the recited limitations of claim 1. Hurtta further teaches wherein said step B comprises: TPF requesting CRF for a charging rule, and CRF returning to TPF a selected charging rule. **(See at least paragraph [0055]).**

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Consider claim 3. Hurtta et al teaches all of the recited limitations of claim 2. Hurtta further teaches wherein said step B further comprising: TPF providing CRF with the bearer event currently occurred. **(See at least paragraph [0050]).**

Consider claim 4. Hurtta et al teaches all of the recited limitations of claim 2. Hurtta further teaches wherein, if TPF determines that the bearer event matches an event trigger, wherein said step B further comprising: said TPF determining whether said charging rule provided by CRF is changed, if it does, the TPF performs a re-authorization process, and otherwise, proceeding to step C. **(See at least paragraph [0072] where Hurtta discloses if the network type changes it may trigger authorization and/or policy control for an already existing access bearer and/or service flow, thus a re-authorization trigger).**

Consider claim 5. Hurtta et al teaches all of the recited limitations of claim 4. Hurtta further teaches The method according to claim 4, in said step B, if the TPF determines the charging rule provided by CRF is changed, before the TPF performing a re-authorization process, further comprising: TPF determining whether a re-authorization is needed due to the changed charging rule, if it is, TPF performing a re-authorization process, and otherwise, proceeding to step C. **(See at least paragraph [0072]).**

Consider claim 6. Hurtta et al teaches all of the recited limitations of claim 4. Hurtta further teaches The method according to claim 4, in said step B, if the TPF determines a

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re-authorization is needed due to the changed charging rule, before the TPF performing a re-authorization process, further comprising: TPF determining whether the bearer event currently occurred matches a re-authorization trigger, if it matches, TPF performing a re-authorization process, and providing OCS with the bearer event currently occurred, and otherwise, TPF only performing a re-authorization process. **(See at least paragraph [0072]).**

Consider claim 7. Hurtta et al teaches all of the recited limitations of claim 4. Hurtta further teaches The method according to claim 4, wherein said performing a re-authorization process further comprising: TPF providing OCS with the changed charging rule. **(See at least paragraph [0072]).**

Consider claim 8. Hurtta et al teaches all of the recited limitations of claim 1. Hurtta further teaches The method according to claim 1, wherein said performing a re-authorization process in step C further comprising: TPF providing OCS with the bearer event currently occurred. **(See at least paragraph [0072]).**

Consider claim 9. Hurtta et al teaches all of the recited limitations of claim 1. Hurtta further teaches The method according to claim 1, wherein said performing a re-authorization process comprises: TPF requesting re-authorisation of the credit in the OCS, and further OCS returning to TPF the authorized credit. **(See at least paragraph [0072]).**

Consider claim 10. Hurtta et al teaches all of the recited limitations of claim 1. Hurtta further teaches The method according to claim 1, wherein said event triggers are provided to TPF by CRF. **(See at least paragraph [0049]).**

Consider claim 11. Hurtta et al teaches all of the recited limitations of claim 1. Hurtta further teaches The method according to claim 1, wherein said re-authorization triggers are provided to TPF by OCS or via CRF by OCS. **(See at least paragraph [0072]).**

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAYCE BIBBEE whose telephone number is (571)270-7222. The examiner can normally be reached on Monday-Friday 7:30 a.m.-5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George Eng/  
Supervisory Patent Examiner, Art Unit 2617

CHAYCE BIBBEE  
Examiner  
Art Unit 2617